

Appl. No. 10/056,300
Reply to Office Action of February 28, 2005

REMARKS:

Applicant appreciates the thorough examination of the application that is reflected in the Office Action dated February 28, 2005. To expedite prosecution of this application, Applicant amends the preambles of claims 1-18 and also amends claims 1-3, 7-11 and 13-18 to correct informalities. Claims 1-18 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

Objections to Drawings

Applicant submits herewith a proposed drawing correction with proposed changes marked in red ink. Specifically, a -Prior Art - legend has been added to FIGS. 1 and 2. Accordingly, Applicant submits that the objection to the drawings is moot.

Objections to Specification

The Office objects to the specification because FIGS. 1 and 2 are allegedly "not described in the Detailed Description of a Preferred Embodiment of the Invention." Applicant submits that the Background section at page 2, lines 10-14 of the specification, as filed, describes these figures. Accordingly, Applicant submits that the objection to the specification is improper.

Claim Rejections Under 35 U.S.C. 101

The Office rejects claims 1-18 under 35 U.S.C. 101 since those claims are allegedly directed to non-statutory subject matter.

Applicant traverses this rejection and submits that claims 1-18 are directed to statutory methods since they have practical information extraction applications in computer technology, such as the Internet. Nevertheless, to expedite prosecution of this application, Applicant amends the preambles of claims 1-18 to recite a "computer-based method." Applicant notes that these amendments do not narrow the scope of claims 1-18, but rather explicitly state that which was originally implicitly claimed. For example, the limitations "selection envelope" and "selection command," which appear in both claims, imply that the methods of claims 1 and 18 are "computer-based."

Accordingly, Applicant submits that the rejection of claims 1-18 under 35 U.S.C. 101 is moot, and requests that this ground of rejection be withdrawn.

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Art-based Rejections

The Official Action rejects claims 1-18 under 35 U.S.C. 102(e) as being anticipated by Goldman et al. (USPN 6,345,277) (hereinafter the "Goldman reference").

Applicant respectfully traverses these rejections for at least the following reasons.

Claim 1

Claim 1 relates to a computer-based method for extracting specific content from a document comprising content. Claim 1 requires the steps of:

creating at least one selection envelope based upon a plurality of selection commands for locating said specific content within said document; and
selecting said specific content from said document based upon said at least one selection envelope. (Emphasis added.)

Applicant submits that the cited Goldman reference fails to teach or suggest, for example, "creating at least one selection envelope based upon a plurality of selection commands for locating said specific content within said document," as required by claim 1.

In rejecting claim 1, the Office Action cites column 7:49-61 of the Goldman reference as allegedly teaching this step. Column 7:49-61 of the Goldman reference discusses that:

"When a derived hierarchy is created in a preferred embodiment, derived containers are displayed such that hierarchical organization is conveyed to the user. In other words, a derived container can convey a category of information in the database as defined by its corresponding value-defined container definition node. A category of information corresponds to a field from the database from which its selection criteria is based, and the field can be used to create a label of the derived container. In a first embodiment, then, each derived container represents a category of information. Furthermore, if a derived container corresponds to a value-defined container definition node in the second level of information in the information model, a user interface can convey this sense of hierarchy by indenting the label of the derived container in a list user interface, or presenting a secondary window in a graphical window interface, for example." (Goldman at column 7:49-61; emphasis added.)

Therefore, the Goldman reference establishes that when a derived hierarchy is created derived containers are displayed such that hierarchical organization is conveyed to the user, where each derived container can convey a category of information in the database.

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Applicant respectfully reminds the Examiner, that "[w]here an explicit definition is provided by the applicant for a term, that definition will control interpretation of the term as it is used in the claim. *Toro Co. v. White Consolidated Industries Inc.*, 199 F.3d 1295, 1301, 53 USPQ2d 1065, 1069 (Fed. Cir. 1999) (meaning of words used in a claim is not construed in a "lexicographic vacuum, but in the context of the specification and drawings")." See MPEP § 2173.05(a). The "GLOSSARY OF TERMS," at page 4, lines 20-21 of the present application, defines a selection envelope as "A function of a set of domain-specific selection commands. The application of a selection envelope on a source document selects the desired data element(s)." (Emphasis added.) Page 4, lines 17-19 of the present application defines a selection command as "A function used to locate a specific piece of content within a document. If the content is located, begin and end markers may be placed adjacent to the content."

Applicant submits that the Goldman reference fails to teach the concept of a "selection envelope," as required by claim 1, much less that the selection envelope is created "based upon a plurality of selection commands," as required by claim 1. Notably, the derived container disclosed in the Goldman reference is not a "function of a set of domain-specific selection commands," as required by page 4, lines 20-21 of the present application. Although the Goldman reference describes that "a derived container can convey a category of information in the database as defined by its corresponding value-defined container definition node," the Goldman reference fails to disclose that application of the derived container on a source document would "select specific content from said document," as required by page 4, lines 20-21 of the present application. As such, the Goldman reference fails to teach the concept of a "selection envelope," as required by claim 1.

Applicant further submits that the Goldman reference fails to teach the concept of a selection command "for locating said specific content within said document," as required by claim 1. There is no teaching in the Goldman reference of a function used to "locate a specific piece of content within a document," as required by page 4, lines 17-19 of the present application.

Thus, Applicant submits that the Goldman reference fails to teach, for example, "creating at least one selection envelope based upon a plurality of selection commands for locating said specific content within said document," as required by claim 1.

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Accordingly, for at least the foregoing reasons, Applicant submits that claim 1, and its dependent claims 2-9, are patentable over the Goldman reference. In addition, Applicant submits that many of the dependent claims are separately patentable since the Goldman reference fails to teach recitations present in those claims.

Claim 10

Claim 10 relates to a computer-based method for extracting desired content from a source. Claim 10 requires the steps of:

parameterizing at least one selection command to operate on said source;
defining a selection envelope to select said desired content from said source by use of said at least one selection command;
selecting selected content from said source by use of said selection envelope;
determining whether said selected content is said desired content; and
extracting said selected content if said selected content is said desired content.
(Emphasis added.)

For at least the reasons noted above, the Goldman reference fails to teach the concept of a "selection command," as required by claim 10. Moreover, Applicant submits that the cited Goldman reference fails to teach or suggest, for example, "parameterizing at least one selection command to operate on said source," as required by claim 10.

In rejecting claim 10, the Office Action cites column 11:25-30 of the Goldman reference as allegedly teaching this step. However, column 11:25-30 of the Goldman reference merely discusses that:

"The selection criteria attribute can comprise a single statement, or one or more statements joined by a Boolean word (i.e., AND, OR, XOR, etc.). A value-defined container definition node also comprises a pointer 908 to a list 910 of one or more child value-defined container definition nodes (not shown)." (Goldman at column 11:25-30; emphasis added.)

Thus, while the Goldman reference describes the concept of a "selection criteria attribute" and a "value-defined container definition node," the Goldman reference fails to teach the concept of a "selection command," as required by claim 10. Nothing in the Goldman reference suggests that the "selection criteria attribute" or the "value-defined container definition node," is used to "locate a specific piece of content within a document."

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Thus, Applicant submits that the Goldman reference fails to teach, for example, "parameterizing at least one selection command to operate on said source," as required by claim 10.

For at least the reasons noted above, the Goldman reference also fails to teach the concept of a "selection envelope" as required by claim 10. Thus, Applicant further submits that the cited Goldman reference fails to teach or suggest, for example, "defining a selection envelope to select said desired content from said source by use of said at least one selection command," as required by claim 10.

Finally, Applicant submits that the Goldman reference also fails to teach, for example, "selecting selected content from said source by use of said selection envelope," as required by claim 10.

Accordingly, for at least the foregoing reasons, Applicant submits that claim 10, and its dependent claims 11-18, are patentable over the Goldman reference. In addition, Applicant submits that many of the dependent claims are separately patentable since the Goldman reference fails to teach recitations present in those claims.

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For at least the reasons noted above, Applicant submits that all of the pending claims are allowable and such allowance is respectfully requested. Should the Examiner have any questions or wish to further discuss this application, Applicant requests that the Examiner contact the undersigned attorney at (480) 385-5060.

If for some reason Applicant has not requested a sufficient extension and/or has not paid a sufficient fee for this response and/or for the extension necessary to prevent abandonment on this application, please consider this as a request for an extension for the required time period and/or authorization to charge Deposit Account No. 50-2091 for any fee which may be due.

Respectfully submitted,

INGRASSIA FISHER & LORENZ

Dated: May 23, 2005

By:



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